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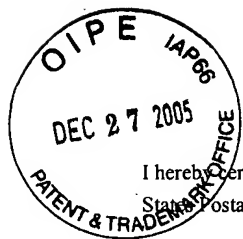
PTO/SB/21 (09-04)

| | | |
|---|------------------------|---------------------|
| TRANSMITTAL FORM (to be used for all correspondence after initial filing) | Application Number | 10/670,997 |
| | Filing Date | September 24, 2003 |
| | First Named Inventor | Sebastian J. Maerkl |
| | Art Unit | 3753 |
| | Examiner Name | Stephen M. Hepperle |
| | Attorney Docket Number | 20174C-009410US |
| Total Number of Pages in This Submission | | |

| ENCLOSURES (Check all that apply) | | |
|--|---|---|
| <input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD | <input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Request for Excuse of Error in Establishing Small-Entity Status Return Postcard |
| Remarks | | The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430. |

| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT | | | |
|--|------------------------------------|----------|--------|
| Firm Name | Townsend and Townsend and Crew LLP | | |
| Signature | | | |
| Printed name | Patrick M. Boucher | | |
| Date | December 20, 2005 | Reg. No. | 44,037 |

| CERTIFICATE OF TRANSMISSION/MAILING | | | |
|---|-----------------|------|-------------------|
| I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below. | | | |
| Signature | | | |
| Typed or printed name | Nina L. McNeill | Date | December 20, 2005 |



I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:

PATENT
Attorney Docket No.: 20174C-009410US

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

On December 20, 2005

TOWNSEND and TOWNSEND and CREW LLP

By Gina L. McNeill

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Sebastian J. Maerkl et al.

Application No.: 10/670,997

Filed: September 24, 2003 ✓

For: MICROFLUIDIC LARGE SCALE
INTEGRATION

Customer No.: 20350

Examiner: Stephen M. Hepperle

Art Unit: 3753

REQUEST FOR EXCUSE OF ERROR IN
ESTABLISHING SMALL-ENTITY
STATUS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Small-entity status was erroneously established in the above-identified application without intent to deceive. Excuse of the error is requested. 37 CFR §1.28(c).

The following is an itemization of the total deficiency payment due, setting forth all payments erroneously paid as a small entity:

| Payment | Small-Entity Amount Paid | Current Large-Entity Amount | Deficiency |
|-------------------------------|--------------------------|-----------------------------|------------|
| Utility Filing Fee | \$385.00 (2/10/04) | \$1,000.00 | \$615.00 |
| Excess Claims (33) | 297.00 (2/10/04) | 1650.00 | 1353.00 |
| Excess Independent Claims (5) | 215.00 (2/10/04) | 1000.00 | 785.00 |
| Declaration Surcharge | 65.00 (2/10/04) | 130.00 | 65.00 |

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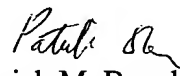
12/29/2005

01 FC:1001 790.00 DA
02 FC:1051 130.00 DA
03 FC:1202 1650.00 DA
04 FC:1201 1000.00 DA

| | |
|-------|--------|
| Total | \$2818 |
|-------|--------|

It is thus believed that the deficiency amount owed is \$2,818.00. Including the applicable fee under 37 CFR §1.17(i), the total amount due for excuse of the error is thus believed to be **\$2,948.00** which the Office is authorized to deduct from Deposit Account No. 20-1430. Should the amount due be determined by the Office to be otherwise, the Office is authorized to deduct the determined amount from Deposit Account No. 20-1430.

Respectfully submitted,


Patrick M. Boucher
Reg. No. 44,037

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PMB:pmb

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Adjustment date: 12/29/2005 SLUANG1
02/19/2004 MBERNE 00000035 201430 10670997
01 FC:2001 385.00 CR
02 FC:2051 65.00 CR
03 FC:2202 297.00 CR
04 FC:2201 215.00 CR